

Marshall Beil (MB-0992)  
Allison D. Charney (AC-0358)  
McGUIREWOODS LLP  
1345 Avenue of the Americas  
Seventh Floor  
New York, NY 10105-0106  
(212) 548-7004  
*Attorneys for Defendants*  
*Paul Yaffe Design Inc. and Paul Yaffe*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PYO ORIGINALS, LLC and	:	07 Civ. 8583 (GBD)
DAWN BENNETT,	:	
	:	ECF CASE
Plaintiffs,	:	
	:	<b>NOTICE OF RULE 12(b)(1)</b>
- against -	:	<b>MOTION</b>
	:	
PAUL YAFFE DESIGN INC. and	:	
PAUL YAFFE,	:	
	:	
Defendants.	:	
----- X		

PLEASE TAKE NOTICE that, upon the annexed declaration of Paul Yaffe, dated November 29, 2007, and the exhibits attached thereto, and on all prior pleadings and proceedings heretofore had herein, defendants Paul Yaffe Design, Inc. and Paul Yaffe ("defendants") will move before District Judge George B. Daniels of this Court at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 15D, New York, New York, 10007 as soon as Counsel can be heard, for an order pursuant to Fed. R. Civ. P. 12(b)(1) to dismiss the complaint for lack of subject matter jurisdiction and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b), answering papers and opposing affidavits, if any, shall be served on or before December

14, 2007 and reply affidavits and memoranda of law, if any, shall be served on or before December 21, 2007.

Dated: New York, New York  
November 30, 2007

Respectfully submitted,

\_\_\_\_\_/s/ Marshall Beil\_\_\_\_\_  
Marshall Beil (MB-0992)  
Allison D. Charney (AC-0358)  
McGUIREWOODS LLP  
1345 Avenue of the Americas  
New York, NY 10105  
(212) 548-7004  
*Attorneys for Defendants*  
*Paul Yaffe Design Inc. and Paul*  
*Yaffe*

TO:

David G. Ebert, Esq.  
INGRAM YUZEK GAINEN CARROLL & BERTOLOTTI LLP  
250 Park Avenue  
New York, NY 10177  
Email: debert@ingramllp.com

Jonathan D. Reichman, Esq.  
KENYON & KENYON LLP  
One Broadway  
New York, NY 10004  
Email: jreichman@kenyon.com

*Attorneys for Plaintiffs*

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